

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

| | | |
|----------------|---|---------------------|
| EDISON HESTER, |) | |
| |) | |
| Petitioner, |) | |
| |) | |
| v. |) | No. 4:18-CV-844 AGF |
| |) | |
| EILEEN RAMEY, |) | |
| |) | |
| Respondent. |) | |

MEMORANDUM AND ORDER

This matter comes before the Court on petitioner Edison Hester’s “motion for immediate orders to produce records in order to respond to order to show cause.” (Docket No. 14). Petitioner also requests an extension of time in order to file a response to the Court’s September 24, 2018 order, which ordered him to show cause why his application for writ of habeas corpus pursuant to 28 U.S.C. § 2254 should not be dismissed for failure to exhaust state remedies. (Docket No. 11).

Petitioner’s motion for production asks this Court to order the state to turn over all his criminal files, in addition to any associated civil files concerning his mental health and mental health evaluations. While petitioner may seek the release of such records on his own, the Court is unable to provide petitioner with copies of his mental health file and criminal records. The Court does not have such records in its possession. Furthermore, the Court cannot order the state to hand over these records as the state is not a party at this juncture of the proceedings. Accordingly, petitioner’s motion for an order to produce records is denied. However, having shown good cause, the Court will extend petitioner’s time to respond to the September 24, 2018 order to show cause.

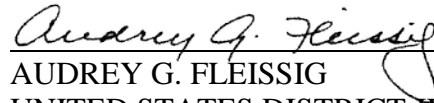
Accordingly,

IT IS HEREBY ORDERED that petitioner's "motion for immediate orders to produce records in order to respond to order to show cause" (Docket No. 14) is **DENIED**.

IT IS FURTHER ORDERED that petitioner's request for an extension of time is **GRANTED**. Petitioner shall have an additional **thirty (30) days** from the date of this order to respond to the Court's September 24, 2018 order to show cause.

IT IS FURTHER ORDERED that if petitioner fails to comply with this Order, the Court will dismiss this action without prejudice.

Dated this 23rd day of October, 2018.



AUDREY G. FLEISSIG
UNITED STATES DISTRICT JUDGE